## **AMENDMENTS TO THE CLAIMS**

2

Claims 1-11 (Canceled)

Claim 12 (Currently Amended): A fermented plant extract obtained by the method for

fermentation and culture comprising: fermenting a material derived from an edible plant and

containing a glucide whose major component is a polysaccharide with a facultative anaerobic

gram-negative bacterium which lives in a symbiotic relationship exclusively with a plant and

simultaneously culturing said facultative anaerobic gram-negative bacterium in a medium

containing no component derived from an animal.

Claim 13 (Previously Presented): Fermented plant extract powder obtained from the

fermented plant extract according to claim 12.

Claim 14 (Previously Presented): A pharmaceutical containing the fermented plant

extract according to claim 12.

Claim 15 (Canceled)

Claim 16 (Previously Presented): The fermented plant extract according to claim 12

exhibits physicochemical properties which are an ability of macrophage activation even with the

presence of polymyxin B.

Docket No.: 80246(302741)

3

has an immunopotentiation activity.

Claim 18 (Previously Presented): A food containing the fermented plant extract

according to claim 12.

Claim 19 (Previously Presented): A bath agent containing the fermented plant extract

according to claim 12.

Claim 20 (Previously Presented): A pharmaceutical containing the fermented plant extract

powder according to claim 13.

Claim 21 (Previously Presented): A food containing the fermented plant extract powder

according to claim 13.

Claim 22 (Previously Presented): A bath agent containing the fermented plant extract

powder according to claim 13.

Claims 23-25 (Canceled)

Claim 26 (Currently Amended): A fermented plant extract obtained by the method for

fermentation and culture comprising: fermenting a material derived from an edible plant and

containing a glucide whose major component is a polysaccharide with a facultative anaerobic

gram-negative bacterium which lives in a symbiotic relationship exclusively with a plant and

DC 254336.1

After Final Office Action of September 30, 2008

simultaneously culturing said facultative anaerobic gram-negative bacterium in a medium containing no component derived from an animal; said facultative anaerobic gram-negative bacterium is bacillus belonging to the genus *Pantoea*; and said edible plant is selected from a food grain, a seaweed or a bean, and a mixture thereof.

Docket No.: 80246(302741)

Claim 27 (Previously Presented): Fermented plant extract powder obtained from the fermented plant extract according to claim 26.

Claim 28 (Previously Presented): A composition containing the fermented plant extract according to claim 26.

Claim 29 (Previously Presented): A composition containing the fermented plant extract powder according to claim 27.

Claim 30-32 (Canceled)

Claim 33 (Currently Amended): A fermented plant extract obtained by-fermenting a material derived from an edible plant and containing a glucide whose major component is a polysaccharide with a facultative anaerobic gram-negative bacterium which lives in a symbiotic relationship with a plant and simultaneously culturing said gram-negative bacterium in a medium containing no component derived from an animal; said facultative anaerobic gram-negative bacterium is *Pantoea agglomerans*; and said edible plant is selected from a food grain, a seaweed or a bean, and a mixture thereof.

Claim 34 (Previously Presented): Fermented plant extract powder obtained from the fermented plant extract according to claim 33.

Claim 35 (Previously Presented): A composition comprising the fermented plant extract according to claim 33.

Claim 36 (Previously Presented): A composition comprising the fermented plant extract powder according to claim 34.

Claim 37 (Previously Presented): A composition containing the fermented plant extract according to claim 12.

Claim 38 (Previously Presented): A composition containing the fermented plant extract powder according to claim 13.